

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

\_\_\_\_\_  
L.E., by his next friends and  
parents, SHELLEY ESQUIVEL and  
MARIO ESQUIVEL,

Plaintiff,

v.

BILL LEE, et al.,

Defendants.

Case No.

3:21-cv-00835

\_\_\_\_\_  
VIDEOCONFERENCE DEPOSITION OF

JENNIFER HEMMELGARN

DATE: Friday, July 29, 2022

TIME: 9:33 a.m. CDT/10:33 a.m. EDT

LOCATION: Remote Proceeding

Washington, DC 20005

REPORTED BY: Janel Folsom, Notary Public

JOB NO.: 5335467

1 form.

2 MS. BERGMEYER: Same objection.

3 A That was a long question. Can you say that  
4 again?

5 Q Sure. So if a -- so are schools under Knox  
6 County Schools' jurisdiction able to roster a student  
7 athlete on a sex-separated sports team on the team  
8 that aligns with that student's gender identity if  
9 that gender identity is different from the sex  
10 assigned at birth on the student's original birth  
11 certificate?

12 MS. JERNIGAN-JOHNSON: Object to the  
13 form.

14 MS. BERGMEYER: Same objection.

15 A Knox County Schools -- schools under Knox  
16 County Schools' jurisdiction are only allowed to  
17 roster students on gender-specific sports team whose  
18 gender assigned on the original birth certificate  
19 matches that gender sports team.

20 Q Okay. And what steps or actions does Knox  
21 County Schools take to ensure that individual schools  
22 are complying with I-171?

1 MS. JERNIGAN-JOHNSON: Object to the  
2 form.

3 MS. BERGMAYER: Same objection.

4 A Informing school principals, athletic  
5 directors, and then athletic directors informing their  
6 coaching staff that the policy and state law exist.

7 Q Are there any additional steps that Knox  
8 County Schools takes?

9 MS. JERNIGAN-JOHNSON: Object to the  
10 form.

11 A I can't think of any right now.

12 Q Okay. And are students required to submit  
13 an original birth certificate to participate in  
14 interscholastic athletics?

15 A Students are required to submit a birth  
16 certificate at some point during the enrollment  
17 process, enrollment into Knox County Schools.

18 Q And then is that the only time they are  
19 required to submit a birth certificate?

20 A I do not know. I do not know if -- if there  
21 are -- would be a birth certificate required at  
22 a -- during enrollment in a different school, for

1 form.

2 MS. BERGMAYER: Same objection.

3 A No, other than -- I don't know all the  
4 details other than potentially the exhibit you showed  
5 earlier with regard to L&N STEM Academy.

6 Q Okay. And other than the plaintiff in this  
7 case, is Knox County Schools aware of any transgender  
8 student who would have attempted to participate on an  
9 interscholastic athletics team that aligned with that  
10 student's gender identity but refrained from doing so  
11 because of SB 228?

12 MS. JERNIGAN-JOHNSON: Object to the  
13 form.

14 MS. BERGMAYER: Same objection.

15 A Can you say that again, please?

16 Q Sure. Other than the plaintiff in this  
17 case, is Knox County Schools aware of any transgender  
18 student who would have tried out to participate on an  
19 interscholastic athletic team that aligned with that  
20 student's gender identity but did not go through with  
21 that attempt because of SB 228?

22 MS. JERNIGAN-JOHNSON: Object to the

1 form.

2 MS. BERGMEYER: Same objection.

3 A Knox County Schools is not aware of any  
4 student that would have tried out for a gender-  
5 specific sports team that is not aligned with their  
6 gender assigned on their original birth certificate  
7 that did not do so as a result of this change in law,  
8 if that is what you are asking.

9 Q That was, thank you.

10 A Okay.

11 MR. STRONGIN: So I am done with that  
12 line of questioning, which was only 15 minutes. Do we  
13 want to go for another 15 minutes? I might be able to  
14 get the next line in the next 15 minutes. If I don't,  
15 it won't be much longer than that, I wouldn't expect,  
16 or if we want to take the lunchbreak now. I am happy  
17 to go either way, to defer to everyone else.

18 MS. JERNIGAN-JOHNSON: Yeah, we can  
19 go -- can we just -- when you say 15 minutes, go 15  
20 minutes?

21 MR. STRONGIN: Yeah. That sounds  
22 great.